

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DARREL LORNE HARRIS,

Petitioner,

v.

RON HAYNES,

Respondent.

CASE NO. C20-6167-JCC

ORDER

This matter comes before the Court on Petitioner Darrel Harris’s motion for leave to appeal *in forma pauperis* (“IFP”), referred to this Court. (Dkt. No. 25.) For the reasons described below, the Court hereby DENIES Petitioner’s motion.

Petitioner filed a habeas petition seeking relief under 28 U.S.C. § 2254 from a 2015 Pierce County Superior Court judgment and sentence. (*See* Dkt. No. 1.) He was found guilty by jury trial for indecent liberties, rape of a child, and first-degree child molestation. (Dkt. No. 19 at 2, 6.) The Honorable S. Kate Vaughan, United States Magistrate Judge, issued an exhaustive Report and Recommendation (“R&R”) (Dkt. No. 19) recommending that this Court deny the petition. (*Id.*) Petitioner objected. (Dkt. No. 20.). This Court overruled his objections, adopted the R&R, dismissed the petition with prejudice, and denied issuance of a certificate of appealability (“COA”). (Dkt. Nos. 22, 23; *see also* 28 U.S.C. § 2253(c)(3) (a COA may issue only upon a “substantial showing of the denial of a constitutional right”).) However, Petitioner

1 still filed a notice of appeal to the Ninth Circuit (Dkt. No. 24) and this motion for leave to appeal
2 IFP (Dkt. No. 25.)

3 Because this Court denied issuance of a COA, and Petitioner has not demonstrated any
4 error by the Court in so doing, Petitioner's motion for leave to appeal IFP (Dkt. No. 25.) is also
5 DENIED.

6 DATED this 14th day of February 2022.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE